

AN ORDINANCE **97650**

APPROVING THE PROJECT STARBRIGHT AGREEMENT BY AND AMONG THE CITY, CITY OF SAN ANTONIO, TEXAS, STARBRIGHT INDUSTRIAL DEVELOPMENT CORPORATION, TOYOTA MOTOR MANUFACTURING NORTH AMERICA, INC., THE STATE OF TEXAS, BEXAR COUNTY, TEXAS, TEXAS DEPARTMENT OF TRANSPORTATION, TEXAS WORKFORCE COMMISSION, ALAMO WORKFORCE DEVELOPMENT, INC., TEXAS DEPARTMENT OF ECONOMIC DEVELOPMENT, TEXAS COMMISSION ON ENVIRONMENTAL QUALITY, TEXAS COMPTROLLER OF PUBLIC ACCOUNTS, SAN ANTONIO WATER SYSTEM, CITY PUBLIC SERVICE, SAN ANTONIO ECONOMIC DEVELOPMENT FOUNDATION, GREATER KELLY DEVELOPMENT AUTHORITY, SOUTHWEST INDEPENDENT SCHOOL DISTRICT, BEXAR METROPOLITAN WATER DISTRICT, AND BEXAR COUNTY RAIL DISTRICT TO FACILITATE THE ESTABLISHMENT OF A MANUFACTURING AND ASSEMBLY FACILITY FOR MOTOR VEHICLES AND AUTOMOTIVE PARTS AND COMPONENTS IN ORDER TO ADVANCE THE PUBLIC PURPOSES OF DEVELOPING AND DIVERSIFYING THE ECONOMY OF THE CITY AND REDUCING UNEMPLOYMENT AND UNDER EMPLOYMENT IN THE CITY, AND AUTHORIZING THE CITY MANAGER TO MAKE NON-SUBSTANTIVE CHANGES TO THE PROJECT STARBRIGHT AGREEMENT (SUCH AS FILLING IN DATES, CORRECTING TYPOGRAPHICAL ERRORS, INSERTING ADDRESS INFORMATION, AND THE LIKE) AND TO EXECUTE THE PROJECT STARBRIGHT AGREEMENT, AND AUTHORIZING OTHER ACTIONS, AS NECESSARY; EFFECTIVELY IMMEDIATELY IF PASSED BY AT LEAST EIGHT (8) VOTES.

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WHEREAS, the City of San Antonio ("City"); the State of Texas; Bexar County; other governmental entities; various utility providers and the City of San Antonio, Texas, Starbright Industrial Development Corporation ("Corporation") have been negotiating an agreement with the Toyota Motor Manufacturing North America, Inc. ("Toyota") under

which certain assistance would be provided to Toyota to assist it in development of a manufacturing and assembly facility in San Antonio; and,

WHEREAS, on February 10, 2003, Toyota announced that it planned to construct and operate a major manufacturing and assembly plant within the area annexed by the City of San Antonio for Limited Purposes on January 5, 2003, that, when completed could represent an investment of more than \$400,000,000.00 and provide 1,800 full-time jobs with a payroll that exceeds \$100,000,000.00 after the Start of Production in Phase I of the project; and,

WHEREAS, the representatives of the City, the San Antonio Economic Development Foundation and others have acquired title to or options to acquire title to property needed for the proposed project; and,

WHEREAS, San Antonio Water System ("SAWS") holds title in the name of the City to certain other parcels necessary for the project and it is the proposed purveyor of water and wastewater services to the project; and,

WHEREAS, the City Public Service Board ("CPS") will provide electricity and other services to the project; and,

WHEREAS, the State of Texas, acting through various state agencies will provide assistance and incentives to the project; and,

WHEREAS, the City of San Antonio formed the City of San Antonio, Texas, Starbright Industrial Development Corporation ("IDC") pursuant to the Development Corporation Act of 1979, Texas Revised Civil Statutes Annotated, Art. 5190.6 on February 20, 2003, to implement an Economic Development Agreement between the City and the IDC which was approved by the parties on February 27, 2003; and,

WHEREAS, all of the entities have negotiated the terms and conditions of the proposed project and have produced a written agreement entitled the Project Starbright Agreement ("Agreement"); and

WHEREAS, the City Council of the City of San Antonio, Texas after public comment and consideration of the terms and conditions of the Agreement finds that the Agreement is in the best interest of the City of San Antonio and that the Agreement implements the project goals to develop and diversify the economy of the City and reduce unemployment and under-employment in the City; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The Project Starbright Agreement is hereby approved on the terms and conditions set forth in the attached copy of the Agreement and the City Manager is authorized to execute the Agreement (with changes as described in Section 2, below) on behalf of the City of San Antonio. The obligations and duties of the City of San Antonio under the Agreement shall be effective no earlier than upon execution of the Agreement by the City Manager.

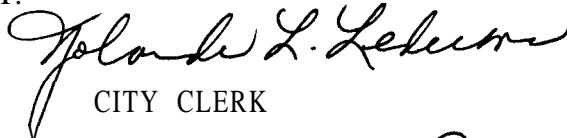
SECTION 2. The City Manager or her designee is authorized to take such steps as may be necessary to implement this ordinance and to negotiate the final terms of the Agreement. Specifically, without limiting the foregoing, the City Manager is authorized to make non-substantive changes to the Project Starbright Agreement (such as filling in dates, correcting typographical errors, inserting address information, and the like.)

SECTION 3. This ordinance shall be immediately effective if passed by at least eight votes. Otherwise, it shall be effective on June 1, 2003.


PASSED AND APPROVED this 22nd day of May, 2003.


M A Y 0 R

ATTEST:


CITY CLERK

APPROVED AS TO FORM:


City Attorney